

§ 1218.42

USACBC and alternates for each position on the USACBC.

[65 FR 43963, July 17, 2000, as amended at 66 FR 37119, July 17, 2001]

§ 1218.42 Term of office.

USACBC members and alternates will serve for a term of three years and be able to serve a maximum of two consecutive terms. A USACBC member may serve as an alternate during the years the member is ineligible for a member position. When the USACBC is first established, the state representatives, first handler member, and their respected alternates will be assigned initial terms of three years. Regional representatives, the importer member, the exporter member, public member, and their alternates will serve an initial term of two years. Thereafter, each of these positions will carry a full three-year term. USACBC nominations and appointments will take place in two out of every three years. Each term of office will end on December 31, with new terms of office beginning on January 1.

[65 FR 43963, July 17, 2000, as amended at 66 FR 37119, July 17, 2001]

§ 1218.43 Vacancies.

(a) In the event that any member of the USACBC ceases to be a member of the category of members from which the member was appointed to the USACBC, such position shall automatically become vacant.

(b) If a member of the USACBC consistently refuses to perform the duties of a member of the USACBC, or if a member of the USACBC engages in acts of dishonesty or willful misconduct, the USACBC may recommend to the Secretary that the member be removed from office. If the Secretary finds the recommendation of the USACBC shows adequate cause, the Secretary shall remove such member from office.

(c) Should any member position become vacant, the alternate of that member shall automatically assume the position of said member. Should the positions of both a member and such member's alternate become vacant, successors for the unexpired terms of such member and alternate shall be appointed in the manner speci-

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fied in § 1218.40 and § 1218.41, except that said nomination and replacement shall not be required if said unexpired terms are less than six months.

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§ 1218.44 Alternate members.

An alternate member of the USACBC, during the absence of the member for whom the person is the alternate, shall act in the place and stead of such member and perform such duties as assigned. In the event of death, removal, resignation, or disqualification of any member, the alternate for that member shall automatically assume the position of said member. In the event that both a producer member of the USACBC and the alternate are unable to attend a meeting, the USACBC may not designate any other alternate to serve in such member's or alternate's place and stead for such a meeting.

[65 FR 43963, July 17, 2000, as amended at 66 FR 37119, July 17, 2001]

§ 1218.45 Procedure.

(a) At a USACBC meeting, it will be considered a quorum when a minimum of seven members, or their alternates serving in the absence, are present.

(b) At the start of each fiscal period, the USACBC will select a chairperson and vice chairperson who will conduct meetings throughout that period.

(c) All USACBC members and alternates will receive a minimum of 10 days advance notice of all USACBC and committee meetings.

(d) Each member of the USACBC will be entitled to one vote on any matter put to the USACBC, and the motion will carry if supported by one vote more than 50 percent of the total votes represented by the USACBC members present.

(e) It will be considered a quorum at a committee meeting when at least one more than half of those assigned to the committee are present. Alternates may also be assigned to committees as necessary. Committees may also consist of individuals other than USACBC members and such individuals may vote in committee meetings. These committee